

ATTACHMENT 3

NATIONAL CAMPAIGN FOR SUSTAINABLE **AGRICULTURE**

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November 13, 2000

National Organic Standards Board
USDA Agriculture Marketing Service, NOP
P.O. Box 96456, Rm. 2945
South Building
Washington, D.C. 20090

RE: Public input on NOSB Process and Agenda

NOSB Member:

The National Campaign for Sustainable Agriculture (the Campaign) believes that the National Organic Standards Board (NOSB), as the seat of the public-private partnership, will be entering a new phase shortly, when the final rulemaking on the National Organic Standards is completed, and as the National Organic Program prepares to finally implement the approved regulations.

It will be the job of the NOSB to make sure that there is a public and transparent process for the development of the manual, that evolving standards remain high, and that input from the public and private sectors retains its quality, transparency and timeliness.

The Campaign recently convened a meeting of some of its partners to find out where various organizations see their priorities regarding organic standards and the National Organic Program. Virtually all were agreed that one of the areas of greatest concern was the continued work of the NOSB, and a list of the areas of highest priority for NOSB was generated. The list was then formulated into a survey format to receive feedback for the various partners who were unable to attend our last meeting. The survey was forwarded to the Campaign's large (~75) Organic Committee. The survey and its results are included below.

The area of most unanimous concern for all respondents, as well as meeting attendees, was that of NOSB Institutional Memory, Process and public participation, beginning with a renewal of the practice of publishing agenda and draft materials for public comment. None of the other substantive issues, of whatever priority, can be dealt with adequately unless the communications process is restored.

All respondents/attendees expressed deep concern on a variety of issues relating to NOSB Institutional Memory, Process and public participation, including:

- Providing new board members copies of past work (decisions, recommendations, notes) of the board, and an accurate "job description"
- Adequate staffing of the NOSB by USDA
- Criteria for NOSB membership

- Guarantee of transparency and open communication in a public feedback loop -- public participation , adequate notes , a clear decision making process

Comments included complaints that would-be participants “ *have not had adequate notification of meeting agenda, and therefore no opportunity for input - and then no meeting outcomes,*” as well as that NOSB members should “*be conversant on the OFPA, the NOSB final Recommendations, and learn about Section 2118 of OFPA....[as well as] now the Final Rule.*”

The next area of high concern was that of Genetically Modified Organisms -- Clarity and Standards. Within this high concern, there was strong affirmation of the incompatibility of GMOs and organic agriculture, but deep concern about the practicalities of assuring the public that absolutely no GMOs would be found in organic seeds or products. What most agree is that the NOSB must address the issue of contamination, standards, and biological pollution. In the words of one respondent, “*GMOs are everywhere now and we need some standard...*” There was also concern expressed over the complexity of this issue, the potential inability for NOSB to adequately do all the work that is required, and the need to allow for significant input from farmers and certifiers as well as scientists with regards to their experiences with on-farm testing and buffer requirements, especially as the issue evolves

The other areas of highest concern were: Manual Development (“*There is no public/private partnership in government regulatory development and improvement unless substantial and consistent public involvement takes place.*”), Materials Review (“*Materials and technologies review will be a primary role of the NOSB going forward.*”), and Livestock Standards.

Transition to Organic and International Committee were the two questions with the greatest range of discussion, with many commenting on the value of the issues, but acknowledging NOSB’s limited resources. There was significant concern, however that issues of international equivalency and accreditation may produce some of the most contentious discussions and will be timely in the future.

Finally, the only area of ambivalence for NOSB participation was that of Aquaculture Standards. Nearly all respondents felt that this was of Low or Medium priority for a work plan for the Board, and tied it to the discussion of Wild-Crafted.

Please note that this was not an official scientific survey but merely a convenient tool for polling our partners. The intent of this is to help provide guidance and reinforcement to the NOSB during this critical time. The partners were asked to rank, by priority, a series of questions that were developed at our Baltimore meeting. High priority means it should be on this year's NOSB agenda; Medium priority means that it should be on the NOSB agenda in the near future, but the NOSB should not be by-passed if the USDA timetable moved it to a higher priority; and Low priority means that it should not be on the NOSB's current agenda.

It is very important to stress and understand that this list was based on the assumption that the key concerns addressed by the Campaign in its comments to the NOP (proposed rule II) will be equitably resolved in the final rule. Our priorities and those of the NOSB may radically shift if this is not the case.

The National Campaign for Sustainable Agriculture hopes that this survey serves as the opening of a dialogue with you as to the NOSB 2001-Action Priorities set forth in this document, and that the dialogue continues with the entire organic community. We stand ready to assist you in your forthcoming work, and thank you in advance for your dedication.

Sincerely,

Organic Steering Committee, National Campaign For Sustainable Agriculture

Michael Sligh, *Rural Advancement Foundation International, USA*

Elizabeth Henderson, *Peacework Organic Farm*

Joe Mendelson, *Center for Food Safety*

Roger Blobaum, *Organic Watch*

Mark Lipson, *Organic Farming Research Foundation*

Margaret Mellon, *Union of Concerned Scientists*

Gary Valen, *Humane Society of the United States*

Liana Hoodes, *National Campaign for Sustainable Agriculture*

NOSB SURVEY

As you know, the National Organic Standards Board has been the seat of the public-private partnership which uniquely characterizes the USDA National Organic Program. As the Board moves to a new relationship (to the program) and work plan following the finalization of the Organic Rule, it will be important for those in the organic movement to be diligent in participating in the work of the Board, both in advocating for an agenda, and commenting on their decisions, as well as providing much needed expertise.

We would like to informally survey you all about what you see as the upcoming priorities for the work of the NOSB. Please review what is here, and add your priorities and comments [Please note This list is merely a beginning, gleaned from input from our meeting in Baltimore]. **Please be expansive in your comments -- detail specifically what you feel NOSB should prioritize in their work plan -- feel free to add general areas and specific topics.** We will then collate, and forward the results (with comments) to the NOSB, prior to their next meeting, in an attempt to encourage them to develop and announce their priorities and agenda for the upcoming year.

Explanation of Priorities: High priority means it should be on this year's NOSB agenda; Medium priority means that it should be on the NOSB agenda in the near future, but the NOSB should not be by-passed if the USDA timetable moved it to a higher priority ; and Low priority means that it should not be on the NOSB's agenda.

BALTIMORE MEETING ATTENDEES:

Joe Mendelson (Center for Food Safety), Marty Mesh and Angela Caudel (Florida Organic Growers), Roger Blobaum (Organic Watch), Dave Engels (UMWOC and OCIA-WI), Mark Lipson (Organic Farming Research Foundation), Aleen Seidel-Rothschild and Anne Mendenhall (Demeter), Emily Brown-Rosen (OMRI), Michael Sligh (RAFI-USA), and Liana Hoodes (NCSA)

SURVEY RESPONDENTS:

Anderson: Bob Anderson

Bowman: Cissy Bowman ☐ rep for HOME, rep for ICO, rep for OFIEF, rep for Indiana Peer Review Panel ☐

CATA: Farmworker Organizing Committee, Richard Mandelbaum

Coody: Lynn Coody

Gussow: Joan Gussow

Henderson: Elizabeth Henderson

HSUS: Humane Society of the United States, Melanie Adcock/Gary Valen

Kindberg: Eric Kindberg

Kirschenmann: Fred Kirschenmann

MOFGA: Maine Organic Farmers and Gardeners Association, Russ Libby

NOFANY: Northeast Organic Farming Association - New York, Sarah Johnston

NOFAVT: Northeast Organic Farming Association - Vermont, Enid Wonnacott

OCIA: Organic Crop Improvement Association, Diane Bowman

OFMA: Organic Farming and Marketing Association, Steve Sprinkel

Ortman : Debbie Ortman □ These are my personal responses and do not necessarily reflect those of the OCA, although the OCA does support my responses. □

PAORGANIC: Pennsylvania Organic, Leslie Zuck

Riddle: Jim Riddle

Sideman: Eric Sideman

TOCMC: Texas Organic Cotton Marketing Cooperative, LaRhea Pepper

UMWOC: Upper Midwest Organic Conference, and OCIA-WI, David Engel

I. INSTITUTIONAL MEMORY

A. Provide new board members copies of past work (decisions, recommendations, notes) of the board

B. Provide new members with an accurate job description

__14__ HIGH; __7__ MEDIUM; __0__ LOW

II. INSTITUTIONAL PROCESS

A. Adequate staffing of the NOSB

B. Timely public availability of reports/notes/decisions

C. Criteria for NOSB membership

D. Re-institute a public feedback loop -- guarantee transparency and open communication and Clear committee process

1. Some public participation

2. Adequate notes

3. Decision making process

__16__ HIGH; __4__ MEDIUM; __0__ LOW

III. MANUAL DEVELOPMENT

A. Public participation in development and review

__12__ HIGH; __6__ MEDIUM; __0__ LOW

IV. MATERIALS REVIEW

__14__ HIGH; __3__ MEDIUM; __1__ LOW

V. LIVESTOCK STANDARDS

__10__ HIGH; __6__ MEDIUM; __1__ LOW

VI. AQUA CULTURE STANDARDS

__1__ HIGH; __11__ MEDIUM; __7__ LOW

VII. GMO CLARITY AND STANDARDS

A. Including an ability to change with changing technology in both testing and development of standards

___18___ HIGH; ___1___ MEDIUM; ___1___ LOW

VIII. TRANSITION TO ORGANIC

___6___ HIGH; ___9___ MEDIUM; ___4___ LOW

IX. INTERNATIONAL COMMITTEE

A. Accreditation

B. Import equivalency

___6___ HIGH; ___10___ MEDIUM; ___4___ LOW

X. OTHER -- PLEASE BE SPECIFIC

1) Adoption of a Statement of Principles for organic production and handling

2) Public access to certification documents and residue testing is very important. Reasonable cost for the USDA/NOPs accreditation, which is passed on to farmers and handlers is very important. Consistency of all forms and criteria used by an accredited certifier in certifying farms and handling operations is very important. Conformance to OFPA regarding substances considered for use on certified organic farms or by certified organic handling operations is very important. Certification of all handling operations as defined by OFPA is very important (this includes restaurants, delis, bulk dispensers, etc that choose to process or package products, sell and label them as "organically produced.") Inclusion of "organically produced" fibers under the USDA/NOP is very important. Clarity of using the terms "organically produced" versus "made with organic (ingredient)" consistent with OFPA needs to be made by the NOSB and USDA/NOP. And above all it is structuring active private sector participation into the NOSB process is essential.

3) Deal with the issue of organic drift/pollution - liability, government monitoring, etc.

4) Related to the above point, CATA continues to feel that labor standards must be incorporated into the NOP, especially given the declared relationship between domestic certifiers and the international organic community (IFOAM).